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Atty. Dkt. No. 039153-0450 (G1155)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Lukanc et al.  
  
Title: METHOD OF ENHANCING CLEAR  
FIELD PHASE SHIFT MASKS  
WITH BORDER REGIONS  
AROUND PHASE 0 AND PHASE  
180 REGIONS  
  
Appl. No.: 10/016,273  
  
Filing Date: 12/11/2001  
  
Examiner: Unknown  
  
Art Unit: 1756

<p><b>CERTIFICATE OF MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below.</p> <p><u>Deborah A. Kocorowski</u> (Printed Name)</p> <p><u>Deborah A. Kocorowski</u> (Signature)</p> <p><u>September 17, 2003</u> (Date of Deposit)</p>
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**PETITION FOR REVIVAL OF APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

Mail Stop Petition  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

After submitting a nonpublication request with the above-referenced application upon filing, the application became abandoned under operation of law for failure of Applicants to timely and properly notify the Office of the filing of an application in a foreign country or under a multinational treaty that requires publication of applications eighteen months after filing. Accordingly, this petition is being filed as a protective measure to ensure that any patent that may issue or has issued from the above-referenced application will not be invalid and/or unenforceable due to Applicants' failure to file the appropriate notice.

**APPLICANTS HEREBY PETITION FOR REVIVAL OF THIS APPLICATION**

**NOTE:** A grantable petition requires the following items:

- (1) Required reply and/or fee;
- (2) Petition fee (37 C.F.R. § 1.17(m));
- (3) Statement that the abandonment was unintentional; and
- (4) Any required terminal disclaimer (37 C.F.R. § 1.137(c)).

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SEP 25 2003

**OFFICE OF PETITIONS**

(1) Required reply and/or fee .

The proposed reply for the above-referenced notification in the form of a Request to Rescind Previous Nonpublication Request 35 U.S.C. 122(b)(2)(B) is enclosed herewith.

(2) Petition fee (37 C.F.R. § 1.17(m))

A check in the amount of \$1,300.00 is enclosed for the amount stated in 37 C.F.R. § 1.17(m) to cover the fee for this petition.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

(3) Statement that the abandonment was unintentional.

Specifically, on December 9, 2002, Assignee's legal department filed an application in a foreign country or under a multinational treaty that requires publication of applications eighteen months after filing. Assignee's legal department inadvertently failed to notify outside counsel of the filing. Accordingly, a request to rescind the non-publication request was not filed.

Accordingly, Applicants wish to revive the above-referenced application in light of counsel's unintentional failure to file the appropriate notice of the filing of an application in a foreign country or under a multinational treaty that requires publication of applications eighteen months after filing.

(4) Any required terminal disclaimer (37 C.F.R. § 1.137(c)).

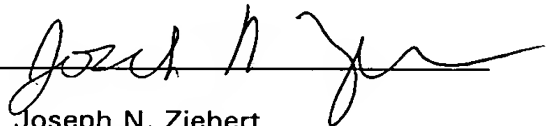
No terminal disclaimer is required in this application under 37 C.F.R. § 1.137(c) since this application was not filed before June 8, 1995.

Respectfully submitted,

Date

9-16-03

By



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